

UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF WISCONSIN

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WISCONSIN SHEET METAL WORKERS  
HEALTH AND BENEFIT FUND,  
MILWAUKEE AREA SHEET METAL  
JOURNEYMEN AND APPRENTICESHIP  
TRAINING FUND, WISCONSIN  
SHEET METAL WORKERS LOCAL 18  
VACATION FUND, WISCONSIN SHEET  
METAL WORKERS LOCAL 18 INDUSTRY  
FUND, WISCONSIN SHEET METAL WORKERS  
LOCAL 18 SCHOLARSHIP FUND, and WISCONSIN  
SHEET METAL WORKERS LOCAL 18 RETIREMENT  
FUND and PATRICK LANDGRAF,  
SHEET METAL WORKERS UNION, LOCAL 18,  
SHEET METAL WORKERS' NATIONAL PENSION FUND,  
SHEET METAL OCCUPATIONAL HEALTH INSTITUTE  
TRUST FUND, NATIONAL ENERGY MANAGEMENT  
INSTITUTE COMMITTEE, NATIONAL TRAINING FUND  
FOR THE SHEET METAL AND AIR CONDITIONING  
INDUSTRY and BOARD OF TRUSTEES, SHEET  
METAL WORKERS' NATIONAL PENSION FUND,

Plaintiffs,

vs.

JS SERVICES LLC,

Case No. 10- cv-00255

Defendant.

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ORDER FOR JUDGMENT AND INJUNCTIVE RELIEF

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Motions for default judgment brought by the Plaintiffs in the above-captioned action were submitted to the Court and subsequently filed with the Clerk.

The Court, having duly heard all issues and a decision having been duly rendered, finds the following

1. Defendant JS Services LLC has failed to plead or otherwise defend as provided by Rule 55(a) of the Federal Rules of Civil Procedure.
2. Defendant JS Services LLC violated the Labor Management Relations Act of 1947, as amended, as well as the Employee Retirement Income Security Act of 1974, as amended, and the effective collective bargaining agreement by failing to pay fringe benefit contributions on behalf of its employees to the Plaintiff Fund and by failing to submit to an audit of the company's books and records by the Plaintiff Fund's designated representative covering the period of May 1, 2008 to the present date.

On the basis of these findings,

**IT IS HEREBY ORDERED:**

- (a) that the Clerk of Court is directed to enter judgment in favor of Plaintiffs Wisconsin Sheet Metal Workers Health and Benefit Fund, Milwaukee Area Sheet Metal Journeymen and Apprenticeship Training Fund, Wisconsin Sheet Metal Workers Local 18 Vacation Fund, Wisconsin Sheet Metal Workers Local 18 Industry Fund, Wisconsin Sheet Metal Workers Local 18 Scholarship Fund, Wisconsin Sheet Metal Workers Local 18 Retirement Fund, Patrick Landgraf, Sheet Metal Workers Union Local 18, Sheet Metal Workers National Pension Fund, Sheet Metal Occupational Health Institute Trust Fund, National Energy Management Institute Committee and National Training Fund for the Sheet Metal, And Air Conditioning Industry (hereinafter "SMOHIT/NEMI/ITI"), and Board of

Trustees, Sheet Metal Workers National Pension Fund and against Defendant JS Services LLC;

(b) that the Defendant JS Services LLC shall submit within ten (10) days of the date of this Order to an audit of the company's books and records by the Plaintiff Fund's designated representative covering the period of May 1, 2008 to the present date; and

(c) that the results of said audit shall be submitted to the court within ten (10) days of the completion of the audit, and the Clerk of Court shall amend the judgment in favor of the Plaintiff Fund to include all contributions, interest and liquidated damages due the Plaintiff Fund as reported by the auditor, along with Plaintiffs' costs and attorney's fees.

Dated this 15<sup>th</sup> day of September, 2010.

BY THE COURT

Barbara B. Crabb  
U.S. DISTRICT JUDGE